

REMARKS

Claims 17-34 are pending. Claims 17-22 and 27 have been cancelled. Independent Claims 23, 31 and 33 have been amended in order to include limitations relating to the release of isothiocyanates. Claims 35-41 have been added. Claim 35 contains all the features of original Claim 1 plus other limitations (including limitations taken from original Claim 2 and limitations relating to the release of isothiocyanates). Claims 36-41 contain the features of original claims 2-6. As set forth more fully below, reconsideration and withdrawal of the Examiner's rejections of the claims are respectfully requested.

Claim Rejection under 35 USC §103

The Examiner has rejected Claims 17-34 under 35 U.S.C. § 103(a) as being unpatentable over Potter et al. (WO 97/14309) in combination with Brown et al. (*Journal of Chemical Ecology*) in view of Sarwar (*Plant and Soil*, 201:103-112. 1998) and Taniguchi et al. (*Agricultural and Biological Chemistry*). In light of these new bases for rejection, the Examiner found Applicants' previous arguments in response to the Office Action dated September 4, 2008, moot. Applicants respectfully traverses the Examiner's new bases for rejections in view of the amendments to the claims introduced herein and the following arguments.

The Examiner has acknowledged that the data presented in the Declaration of Luca Lazzeri pursuant to 37 C.F.R. § 1.132 demonstrated that the release of isothiocyanates was "surprisingly higher than expected" (penultimate paragraph of the Office Action dated June 8, 2009). The Examiner notes, however, that the pending Claims did not specifically recite the isothiocyanates. Accordingly, as suggested by the Examiner, the Claims have been amended herein to recite a "release step" during which the isothiocyanates are produced and released. These added features are clearly deducible from the application as filed (*inter alia*, see page 7, line 10 to page 8, line 11). Applicants thank the Examiner for these suggestions and submit that the combination of Potter et al. and Brown et al. in view of Sarwar and Taniguchi et al. does not teach or suggest the currently pending claims, as amended herein.

In view of these amendments and remarks, Applicants believe all claims are in condition for allowance and request favorable consideration and early allowance of the same. If the

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Examiner has any questions regarding this Amendment and Response, the Examiner is invited to contact the undersigned.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: Patricia Y. Ho
Patricia Y. Ho
Registration No. 58,972
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

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